

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Julian P. Breillatt et al.
Serial No.: Unknown
Filed: Unknown
For: Blood Collection Systems and Methods Using a Porous Membrane Element

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT WITHIN
THREE MONTHS OF FILING OR BEFORE MAILING OF FIRST OFFICE ACTION
(37 CFR 1.97(b))**

NOTE: "An information disclosure statement shall be considered by the Office if filed: (1) within three months of the filing date of a national application; (2) within three months of the date of entry of the national stage as set forth in S 1.491 in an international application; or (3) before the mailing date of a first Office action on the merits, whichever event occurs last." 37 CFR 1.97(b).

NOTE: The "filing date of a national application" under 37 CFR 1.97(b) has two possible meanings. Where the filing is a direct one to the United States Patent & Trademark Office, the filing is defined in 37 CFR 1.53(b) as "the date on which: (1) A specification containing a description pursuant to S 1.71 and at least one claim pursuant to S 1.75; and (2) any drawing required by S 1.81(a), are filed in the Patent and Trademark Office in the name of the actual inventor or inventors as required by S 1.41." 37 CFR 1.97(b)(1). On the other hand, an international application that enters the national stage occurs when the applicant has filed the documents and fees required by 35 U.S.C. S 371(c) within the periods set forth in S 1.494 or S 1.495. 35 U.S.C. S 371(c) requires the filing of the following: (1) the national fee; (2) a copy of the international application, unless already sent by the International Bureau, and an English translation if filed in another language; (3) amendments under PCT Article 19, with a translation into English if made in another language; (4) an oath or declaration; and (5) a translation into English of any annexes to the international preliminary examination report, if such annexes were made in another language. 37 CFR 1.97(b)(2).

**IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING INFORMATION
DISCLOSURE STATEMENT**

The information disclosure statement submitted herewith is being filed WITHIN THREE MONTHS OF THE FILING DATE OF THE APPLICATION OR DATE OF ENTRY INTO THE NATIONAL STAGE OF AN INTERNATIONAL APPLICATION OR BEFORE THE MAILING DATE OF A FIRST OFFICE ACTION ON THE MERITS, WHICHEVER EVENT OCCURS LAST. 37 CFR 1.97(b).

NOTE: "NO CERTIFICATION OR FEE IS DUE WHEN THE FILING IS MADE WITHIN THE ABOVE TIME PERIOD. IT IS ADVISABLE TO ENSURE THAT NO OFFICE ACTION HAS BEEN MAILED IF THE DISCLOSURE STATEMENT IS DELAYED UNTIL AFTER THREE MONTHS FROM FILING.

NOTE: "An information disclosure statement will be considered to have been filed on the day it was received in the Office, or on an earlier date of a mailing if accompanied by a properly executed certificate of mailing under 37 CFR 1.8, or Express Mail certificate under 37 CFR 1.10. An Office action is mailed on the date indicated in the Office action." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

CERTIFICATE OF MAILING (37 CFR 1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United State Postal Service on the date shown below as Express Mail Label No. EV317558180 US in an envelope addressed as follows: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Judith Dunaway

Type or print name of person mailing paper

Date: 26 June 2003

(Signature of person mailing paper)

NOTE: "The term 'national application' includes continuing applications (continuations, divisions, continuations-in-part) so three-months will be measured from the actual filing date of an application as opposed [sic] to the effective date of a continuing application." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: "An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims rather than just a restriction requirements (37 CFR 1.142) or just a requirement for additional fees to have a claim considered (37 CFR 1.16(d)). Thus, if an application was filed on Jan. 1 and the first Office action on the merits was not mailed until six months later on July 1, the examiner would be required to consider any proper information disclosure statement filed prior to July 1." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

WARNING: "A PETITION FOR SUSPENSION OF ACTION TO ALLOW APPLICANT TIME TO SUBMIT AN INFORMATION DISCLOSURE STATEMENT WILL BE DENIED AS FAILING TO PRESENT GOOD AND SUFFICIENT REASONS, SINCE 37 CFR 1.97 PROVIDES ADEQUATE RECOURSE FOR THE TIMELY SUBMISSION OF PRIOR ART FOR CONSIDERATION BY THE EXAMINER." NOTICE OF JULY 6, 1992 (1141 O.G. 63).

The submission of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima face* prior art reference against the claims of the present application.

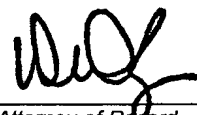
COPIES OF THE DOCUMENTS LISTED ON THE ATTACHED FORM PTO-1449 CAN BE FOUND IN THE FILE WRAPPER OF PARENT APPLICATION SERIAL NO. 09/624,308 FILED 24 July 2000 AND ARE THEREFORE NOT INCLUDED WITH THIS SUBMISSION.

Should any fees be necessary in connection with this submission, please charge same to Account No. 06-2360.

Date 26 June 2003

Reg. No. 29,243

Telephone No.: (262) 783-1300



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LIST OF PRIOR ART CITED BY APPLICANT
(Use several sheets if necessary)

ATTY DOCKET NO.

CRTS-5652 DIV

SERIAL NO.

Unknown

APPLICANT

Breillatt et al.

FILING DATE

Unknown

GROUP

Unknown

U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
	5,234,593	8/10/93	Kuroki et al.			
	5,476,587	12/19/95	Kuroki et al			
	5,707,520	1/13/98	Kuroki et al			
	5,498,336	3/12/96	Katsurada et al			
	5,783,094	7/21/98	Kraus et al			
	5,895,575	4/20/99	Kraus et al			
	4,925,572	5/15/90	Pall			
	5,443,743	8/22/95	Gsell			
	5,344,561	9/6/94	Pall et al			
	6,013,184	1/11/00	Fukuda et al			
	5,164,087	11/17/92	Naoi et al			

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No
	378684	03/1994	EP			
	419346	03/1991	EP			
	408462 B1, A2	01/1991	EP			
	406485	01/1991	EP			
	272841	06/1988	EP			

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

			Bruil et al, Asymmetric membrane filters for the removal of leukocytes from blood, Journal of Biomedical Materials Research, Vol. 25, 1459-1480 (1991)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this of with next communication to applicant.

LIST OF PRIOR ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO. CRTS-5652 DIV	SERIAL NO. Unknown
	APPLICANT Breillatt et al.	
	FILING DATE Unknown	GROUP Unknown

U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
	4,985,153	1/15/91	Kuroda et al.			
	5,407,581	4/18/95	Onodera et al			
	5,478,470	12/26/95	Fukuda et al			
	5,665,233	9/9/97	Fukuda et al			
	5,543,062	8/6/96	Nishimura			
	4,983,288	1/8/91	Karbachsch et al			
	5,089,192	2/18/92	Costa			
	5,698,281	12/16/97	Bellantoni et al			
	4,933,085	6/12/90	Kneifel et al			
	4,902,422	2/20/90	Pinnau et al			
	5,834,107	11/10/98	Wang et al			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No

OTHER PRIOR ART *(Including Author, Title, Date, Pertinent Pages, Etc.)*

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U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)
	5,188,734	2/23/93	Zepf			
	6,045,899	4/4/00	Wang et al			
	5,171,445	12/15/92	Zepf			
	5,928,774	7/27/99	Wang et al			
	5,958,989	9/28/99	Wang et al			
	5,979,670	11/9/99	Ditter et al			
	5,906,742	5/25/99	Wang et al			
	5,886,059	3/23/99	Wang			
	5,869,174	2/9/99	Wang			
	5,846,422	12/8/98	Ditter et al			
	4,774,039	9/27/88	Wrasidio			

FOREIGN PATENT DOCUMENTS

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LIST OF PRIOR ART CITED BY APPLICANT <i>(Use several sheets if necessary)</i>	ATTY DOCKET NO. <div style="text-align: center; font-weight: bold; font-size: 1.2em;">CRTS-5652 DIV</div>	SERIAL NO. <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Unknown</div>
	APPLICANT <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Breillatt et al.</div>	
	FILING DATE <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Unknown</div>	GROUP <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Unknown</div>

U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (if Appropriate)
	4,900,449	2/13/90	Kraus et al			
	5,076,935	12/31/91	Kraus et al			
	6,056,903	5/2/00	Greenwood et al			
	4,933,081	6/12/90	Sasaki et al			
	4,840,733	6/20/89	Sasaki et al			
	4,629,563	12/16/86	Wrasidlo			
	5,102,917	4/7/92	Bedwell et al			
	5,071,448	12/10/91	Bikson et al			
	4,964,990	10/23/90	Kraus et al			
	5,707,526	1/13/98	Kraus et al			
	5,783,094	7/21/98	Kraus et al			

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	5,895,575	4/20/99	Kraus et al			
	5,820,755	10/13/98	Kraus et al			
	4,701,267	10/20/87	Watanabe et al			
	5,108,607	4/28/92	Kraus et al			
	4,900,433	2/13/90	Wrasidlo			
	6,045,701	4/4/00	Ung-Chhun et al.			
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	6,008,059	12/1999	Schrier et al.			
	4,612,119	09/1986	Eguchi			
	5,456,835	10/1995	Castino et al.			
	6,032,807	03/2000	Sternberg et al.			

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